

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	
)	
ARNAUT)	Group Art Unit: Unassigned
)	
Application No.: TBA (CON of 09/739,243))	Examiner: Unassigned
)	
Filed: Even date herewith)	Confirmation No.: Unassigned
)	
For: INSECTICIDAL PROTEINS FROM)	
BACILLUS THURINGIENSIS)	

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, Applicants hereby submit the following information in conformance with 37 C.F.R. §§ 1.97 and 1.98.

The documents listed below were cited in parent application No. 09/739,243. Copies of these documents are not enclosed, in accordance with 37 C.F.R. §1.98(d), so as not to overburden the file wrapper of the present application.

By citation of the copending application confidentiality therein is not waived and the Office is requested to maintain the confidentiality of the copending application. 35 U.S.C. §122.

The documents are being cited within three (3) months of the filing or entry of the national stage of this application or before the first Office Action on the merits, whichever is later. Since being filed within the time period set forth in 37 C.F.R. § 1.97(b) no fee or statement is required.

To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner-initialed copy of this form be returned to the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: 8 July 2003

By: Malcolm K. McGowan
Malcolm K. McGowan, Ph.D.
Registration No. 39,300

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(703) 836-6620

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Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed.

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Substitute for forms 1449A/PTO & 1449B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

 ATTORNEY'S DKT NO.
021565-083

 APPLICATION NO.
TBA (CON of 09/739,243)

 APPLICANT
ARNAUT

 FILING DATE
Even date herewith

 GROUP
Unassigned

U.S. PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (MM-DD-YYYY)
	60/153,995		Baum et al.	09-15-1999
	5,356,623		von Tersch et al.	10-18-1994
	5,942,658		Donovan et al.	08-24-1999
	6,150,589		Payne et al.	11-21-2000

FOREIGN PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Country	Date of Publication (MM-DD-YYYY)	Translation Yes No
	WO 01/19859		PCT	03-22-2001	
	WO 96/05314		PCT	02-22-1996	
	EP 1 099 760	A1	EPO	05-16-2001	
	EP 0 401 979	B1	EPO	09-04-1996	

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Include name of author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. **SEND TO:** Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

 ATTORNEY'S DKT NO.
021565-083

 APPLICATION No.
TBA (CON of
09/739,243)

 APPLICANT
Arnaut et al

 FILING DATE
Even date herewith

 GROUP
Unassigned

U.S. PATENT DOCUMENTS

Examiner Initials	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication (MM-DD-YYYY)
	Number	Kind Code (if known)		
	5,723,758		Payne et al	03-03-1998

FOREIGN PATENT DOCUMENTS

Examiner Initials	Foreign Patent Document		Country	Date of Publication (MM-DD-YYYY)	Translation	
	Number	Kind Code (if known)			Yes	no
	WO 95/04146		PCT	02-09-1995		
	WO 99/33991		PCT	07-08-1999		
	EP 0589110		EP	03-30-1994		
	WO 99/00407		PCT	01-07-1999		

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Include name of author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	Accession No. Z22512, 8 April 1993, LAMBERT B.: "B. Thuringiensis Encoding Crystal Protein", abstract
	Accession No. X54160, 5 October 1990, PEFEROEN: "Bacillus Thuringiensis CryID Gene for Insecticidal Crystal Protein (Lepidoptera Specific)", abstract
	Accession No. AF093107, 8 October 1998, WASANO et al.: "Bacillus Thuringiensis Delta-Endotoxin Gene, Partial cds", abstract
	Accession No. X75019, 23 December 1993, SHEVELEV et al.: "B Thuringiensis cryIX Gene for Delta-Endotoxin", abstract
	CRICKMORE et al.: "Revision of the Nomenclature for the Bacillus Thuringiensis Pesticidal Crystal Proteins", <i>MICROBIOL. MOL. BIOL. REV.</i> , vol. 62, no. 3, (1998), pp. 807-813
Examiner Signature	Date Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.